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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,298	07/17/2003	E-Young Wu	SIPT121497	7268
26389 7590 07/25/2007 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			EXAMINER LIU, CHIA-YI	
			ART UNIT 3609	PAPER NUMBER
			MAIL DATE 07/25/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/622,298

Applicant(s)

WU, E-YOUNG

Examiner

CHIA-YI LIU

Art Unit

3609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claim 1-2, 4-8, 10-4 rejected under 35 U.S.C. 102(e) as being anticipated by Kinoshita et al

(2003/0055792).

As per Claim 1,

Kinoshita discloses:

A method of making a monetary transaction between a customer and a merchant, comprising the steps of:

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a) Operating a processing terminal of the merchant to establish a connection with a mobile terminal of the customer and to request for virtual currency information issued by a financial institution and stored in the mobile terminal, see figure 1 (11, 14, 17) and paragraph 0004 lines 8-10.

b) Upon receipt of the virtual currency information from the mobile terminal, enabling the processing terminal (POS terminal) to issue an authentication request to the financial institution (credit card company), see paragraph 0004 lines 11-17

c) Completing the monetary transaction upon receipt of an authorization response from the financial institution, see paragraph 0015, lines 1-4.

As per Claim 2,

Kinoshita further discloses the processing terminal (POS terminal) is configured to establish a wireless communications link with the mobile terminal, see paragraph 0144, lines 4-6 and paragraph 0145 lines 1-2.

As per Claim 4,

Kinoshita further discloses a transaction amount is inputted into the processing terminal (POS terminal), see paragraph 0165, lines 1-3, and wherein the transaction amount (data) is transmitted to the mobile terminal (portable device), see paragraph 0167, lines 10-12.

As per Claim 5,

Kinoshita further discloses a transaction amount is inputted into the processing terminal, and wherein the transaction amount is transmitted to the financial institution, see figure 21 (1,3,4) and paragraph 0037, lines 1-4.

As per Claim 6,

Kinoshita further discloses generating a transaction receipt, see paragraph 0205, lines 1-2.

As per Claim 7,

Kinoshita discloses:

A method of making a monetary transaction between a customer and a merchant, comprising the steps of:

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- a) Storing virtual currency information issued by a financial institution in a mobile terminal of the customer, see paragraph 0136, lines 3-9.
- b) Inputting transaction information into a processing terminal (POS terminal) of the merchant (paragraph 0139 lines 2-4)
- c) Enabling the processing terminal to establish a connection with the mobile terminal and to request for the virtual currency information stored in the mobile terminal, see figure 1 (11,17) and paragraph 0010, lines 1-4.
- d) Enabling the mobile terminal to transmit the virtual currency information to the processing terminal upon receipt of the request from the processing terminal, see paragraph 0010, lines 1-4 and paragraph 0036
- e) Upon receipt of the virtual currency information from the mobile terminal, enabling the processing terminal (POS terminal) to issue an authentication request to the financial institution (credit card company), see paragraph 0004 lines 11-17
- f) Enabling the financial institution (credit card company) to process the authentication request from the processing terminal (POS terminal) and to issue an authorization response to the processing terminal in accordance with processing result of the authentication request, see paragraph 0004, lines 11-19.
- g) Enabling the processing terminal to complete the monetary transaction upon receipt of the authorization response from the financial institution, see paragraph 0015

As per Claim 8,

Kinoshita further discloses the processing terminal (POS terminal) is configured to establish a wireless communications link with the mobile terminal, see paragraph 0144, lines 4-6 and paragraph 0145 lines 1-2.

As per Claim 10,

Kinoshita further discloses the transaction information inputted includes a transaction amount, see paragraph 0165, lines 1-3, and wherein the transaction amount (data) is transmitted to the mobile terminal (portable device), see paragraph 0167, lines 10-12.

As per Claim 11,

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Kinoshita further discloses the transaction information inputted includes a transaction amount (total amount, see figure 16), and wherein the transaction amount is transmitted to the financial institution, see paragraph 0037, lines 1-4, and paragraph 0141, lines 7-10.

As per Claim 12,

Kinoshita further discloses enabling the processing terminal to generate a transaction receipt, see paragraph 0205, lines 1-2.

As per Claim 13,

Kinoshita further discloses the mobile terminal transmits the virtual currency information (card number) to the processing terminal (merchant terminal) in an encrypted format, see paragraph 0030.

As per Claim 14,

Kinoshita further discloses

Allowing the customer to input a password into the mobile terminal (portable device), see paragraph 0165, lines 7-9.

Enabling the mobile terminal (portable device) to verify the password inputted by the customer, see paragraph 0166

Upon detection of a successful verification result, enabling the mobile terminal to transmit the virtual currency information to the processing terminal (merchant terminal) in the encrypted format, see paragraph 0030.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 3, 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al (2003/0055792) in view of Mollett et al. (2003/02256686)

As per claims 3, 9.

Kinoshita et al ('792) does not specifically disclose processing terminal is configured to dial a telephone number associated with the mobile terminal.

Mollett et al. ('686) teaches a dialing of telephone number by a POS processor (processing terminal), see paragraph 0080, lines 1-8 for the benefit of verifying the validity of phone numbers provided as transaction input (mobile terminal).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Kinoshita et al ('792) to include a dialing of telephone number for the benefit of verification of transaction input.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIA-YI LIU whose telephone number is (571) 270-1573. The examiner can normally be reached on Mon-Thur alternating Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached at 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 07


THOMAS A. DIXON
SUPERVISORY PATENT EXAMINER